

104TH CONGRESS
1ST SESSION

H. R. 1618

To amend title 5, United States Code, to impose certain limitations relating to participation by a Member of Congress in the Civil Service Retirement System or the Federal Employees' Retirement System.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1995

Mr. GUTKNECHT (for himself, Mr. METCALF, Mr. BROWNBAC, Mr. FOX of Pennsylvania, Mr. WAMP, Mr. RIGGS, Mr. NEUMANN, Mr. ENGLISH of Pennsylvania, Mr. SOUDER, Mr. DAVIS, Mr. SANFORD, Mr. KLUG, Mr. SMITH of Michigan, Mr. COBURN, Mr. CHRISTENSEN, Mr. SCARBOROUGH, Mr. SHADEGG, Mr. LOBIONDO, Mr. RADANOVICH, Mrs. SEASTRAND, Mr. HAYWORTH, Mrs. SMITH of Washington, and Mr. LARGENT) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 5, United States Code, to impose certain limitations relating to participation by a Member of Congress in the Civil Service Retirement System or the Federal Employees' Retirement System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FEDERAL EMPLOYEES' RETIREMENT SYSTEM.**

2 (a) LIMITATION.—Chapter 84 of title 5, United
3 States Code, is amended by inserting after section 8410
4 the following:

5 **“§ 8410a. Limitation relating to Members**

6 “(a) This section shall apply with respect to any
7 Member serving as—

8 “(1) a Member of the House of Representatives
9 after completing 12 years of service as a Member of
10 the House of Representatives; or

11 “(2) a Senator after completing 12 years of
12 service as a Senator.

13 “(b) A Member to whom this section applies remains
14 subject to this chapter, except as follows:

15 “(1)(A) Deductions under section 8422 shall
16 not be made from any pay for service performed as
17 such a Member.

18 “(B) Government contributions under section
19 8423 shall not be made with respect to any such
20 Member.

21 “(C) Service performed as such a Member shall
22 not be taken into account for purposes of any com-
23 putation under section 8415.

24 “(2) Government contributions under section
25 8432(c) shall not be made with respect to any period
26 of service performed as such a Member.

1 “(c) Nothing in subsection (b) shall be considered to
 2 prevent any period of service from being taken into ac-
 3 count for purposes of determining whether any age and
 4 service requirements for entitlement to an annuity have
 5 been met.

6 “(d) For purposes of subsection (a)—

7 “(1) only service performed after the 103rd
 8 Congress shall be taken into account; and

9 “(2) service performed while subject to sub-
 10 chapter III of chapter 83 (if any) shall be treated
 11 in the same way as if it had been performed while
 12 subject to this chapter.

13 “(e) For purposes of this section, the term ‘Member
 14 of the House of Representatives’ includes a Delegate to
 15 the House of Representatives and the Resident Commis-
 16 sioner from Puerto Rico.”.

17 (b) TABLE OF CONTENTS.—The table of contents for
 18 chapter 84 of title 5, United States Code, is amended by
 19 inserting after the item relating to section 8410 the follow-
 20 ing:

“8410a. Limitation relating to Members.”.

21 **SEC. 2. CIVIL SERVICE RETIREMENT SYSTEM.**

22 (a) LIMITATION.—Chapter 83 of title 5, United
 23 States Code, is amended by inserting after section 8333
 24 the following:

1 **“§ 8333a. Limitation relating to Members**

2 “(a) This section shall apply with respect to any
3 Member serving as—

4 “(1) a Member of the House of Representatives
5 after completing 12 years of service as a Member of
6 the House of Representatives; or

7 “(2) a Senator after completing 12 years of
8 service as a Senator.

9 “(b) A Member to whom this section applies remains
10 subject to this subchapter, except as follows:

11 “(1) Deductions under the first sentence of sec-
12 tion 8334(a) shall not be made from any pay for
13 service performed as such a Member.

14 “(2) Government contributions under the sec-
15 ond sentence of section 8334(a) shall not be made
16 with respect to any such Member.

17 “(3) Service performed as such a Member shall
18 not be taken into account for purposes of any com-
19 putation under section 8339, except in the case of
20 a disability annuity.

21 “(c)(1) Nothing in subsection (b) shall be considered
22 to prevent any period of service from being taken into ac-
23 count for purposes of determining whether any age and
24 service requirements for entitlement to an annuity have
25 been met.

1 “(2) Nothing in subsection (b) or (c) of section 8333
2 shall apply with respect to a Member who, at the time
3 of separation, is a Member to whom this section applies.

4 “(d) For purposes of subsection (a), only service per-
5 formed after the 103rd Congress shall be taken into ac-
6 count.

7 “(e) For purposes of this section, the term ‘Member
8 of the House of Representatives’ includes a Delegate to
9 the House of Representatives and the Resident Commis-
10 sioner from Puerto Rico.”.

“8333a. Limitation relating to Members of the House of Representatives.”.

